

### City of Portland

### **Bureau of Development Services**

Land Use Services Division

1900 SW Fourth Ave. Suite 5000 Portland, Oregon 97201 Telephone: 503-823-7300 TDD: 503-823-6868

FAX: 503-823-5630 www.portlandonline.com/bds

Date: July 24, 2008

To: Interested Person

**From:** Dave Skilton, Land Use Services

503-823-0660 / dave.skilton@ci.portland.or.us

# NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

# CASE FILE NUMBER: LU 08-121413 DZ – NEW TWO STORY MIXED-USE BUILDING

### **GENERAL INFORMATION**

**Applicant:** Mark R Madden, Owner

1626 NW 15th Avenue Portland, OR 97209-2572

**Representative:** Steve Fosler, Architect (503-241-9339)

Fosler Portland Architecture

720 SW Ankeny St Portland, OR 97205

**Site Address:** 2234 SE 11<sup>th</sup> Avenue

**Legal Description:** Lot 4 Block 128, Stephens Addition

**Tax Account No.:** R794015810 **State ID No.:** 1S1E02CD 14000

Quarter Section: 3231

**Neighborhood:** Hosford-Abernethy, contact Frank Dufay at 503-232-0204.

**Business District:** Central Eastside Industrial Council, contact Chris Hammond at 503-

309-1971.

**District Coalition:** Southeast Uplift, contact Gary Berger at 503-232-0010.

**Plan District:** Central City - Central Eastside

**Zoning:** RXd, Central Residential, with Design Overlay

**Case Type:** DZ, Design Review

**Procedure:** Type II, an administrative decision with appeal to the Design

Commission.

### Proposal:

Applicant is seeking Design Review for a proposal to construct a new two story mixed-use building on a corner lot, with retail and live/work units on the ground floor and six dwelling units on the upper floor. The building walls will be at the property line on the street frontages and set back ten feet from the north property line and approximately five feet from the east

property line. The exterior finish material is a composite lap siding in two widths. Doors and windows will be wood-framed, and street-facing entrances will be weather protected by flat, stretched-fabric canopies within wooden frames. Paired entries to the six upper floor units will be reached by three sets of stairs in the rear yard. The six upper units will each have a small south-facing balcony. Stormwater will be treated in a vegetated planter along the entire north property line and discharged to the public storm sewer. Design Review is required because the property is within the Central City Plan District – Central Eastside Subdistrict.

### Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are:

- 33.825 Design Review
- Central City Fundamental Design Guidelines
- Central Eastside District of Central City Plan Guidelines

### **ANALYSIS**

**Site and Vicinity:** The area between SE 11<sup>th</sup> and SE 12<sup>th</sup> Avenues from approximately SE Hawthorne to SE Division is distinctly transitional in character, sharing qualities of both the concentrated industrial use to the west and the dense historic residential neighborhood to the east. Because this corridor is only a block wide and the adjoining uses are so dissimilar, the transition is abrupt and the area lacks a single cohesive identity. Existing development includes:

- Late nineteenth and early twentieth-century houses, one to two-and-a-half stories tall, many of which have been altered/expanded/subdivided into multiple units,
- Two designated historic landmark (National Register) properties facing the Ladd's Addition Historic District across SE 12<sup>th</sup> between SE Mill and SE Stephens Streets,
- One and two story, concrete light-manufacturing or commercial properties with onsite parking at street frontages,
- Two story mixed-use, wood frame buildings with commercial establishments on the ground floor and residences above, and
- Surface parking.

SE 11<sup>th</sup> and 12<sup>th</sup> Avenues form a very busy transportation couplet in this vicinity, with northbound traffic on 12<sup>th</sup> and southbound traffic on 11<sup>th</sup>. Both streets include regularly scheduled bus service, and both have the following designations in the adopted Transportation System Plan:

- Major City Traffic Street
- Transit Access Street
- City Bikeway
- City Walkway
- Freight Route
- Major Emergency Response Street
- Community Corridor

SE Sherman, on the longer (south) side of the site is a much quieter cross street.

Within this corridor a two-and-a-half block section along the east side of SE 11<sup>th</sup> Avenue, from Lincoln Street south to the mid-block between Sherman Street and Caruthers, Street has a base zoning of RX, with the highest residential density allowed in the City. The subject property is within this area, and although the zoning has been in place for more than twenty years, this proposal appears to be the first to attempt to take advantage of the higher density allowed. In recognition of the additional complexity the RX designation imposes on the area, a "d" or Design Overlay is also applied.

**Zoning:** The RX zone is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will be 100 or

more units per acre. Allowed housing developments are characterized by a very high percentage of building coverage. The major types of new housing development will be medium and high rise apartments and condominiums, often with allowed retail, institutional, or other service oriented uses. Generally, RX zones will be located near the center of the city where transit is readily available and where commercial and employment opportunities are nearby. RX zones will usually be applied in combination with the Central City plan district.

The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate there are no prior land use reviews for this site.

**Agency Review:** A "Notice of Proposal in Your Neighborhood" was mailed **June 20, 2008**. The following Bureaus have responded with no issues or concerns:

- Water Bureau
- Fire Bureau
- Site Development Section of BDS

The Office of Transportation had no concerns but did provide advisory comments. Please see Exhibit E-1 for details.

The Bureau of Environmental Services responded with the following comment:

"BES has no objections to the proposed building. BES notes that the applicant site plan shows that proposed new planters would be connected to the City system. The existing combination gravity main in SE  $11^{\rm th}$  Avenue is surcharging; therefore, it is not acceptable to connect to that main. A new combination main, or lateral, must be established in SE Sherman to connect to the existing combination gravity main in SE  $12^{\rm th}$ ."

Please see Exhibit E-2 for additional details.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on June 20, 2008. One written response has been received from notified property owners in response to the proposal. On July 8, 2008 Meg Jaquay wrote, both on her own behalf and for the following neighbors: Kelly M. Jackson, Michael Frye, Mary Soots, Ron James, and Michael Musumeci. Ms. Jaquay's letter characterizes their concerns as falling under seven headings, as follows:

- <u>Design</u> Increased density conflicts with goals of Central Eastside Design Guidelines and the Purpose Statement of the Design Overlay zone, and proposal does not integrate with neighborhood.
- <u>Health</u> The trash enclosure is too small and should be closer to the street. There is potential for increased rodent infestation.
- <u>Safety</u> The unfenced side/rear yards will be attractive to vagrants and unsafe for the residents. Gateways should have inviting residential character.
- <u>Environmental Impact</u> New development will unduly shade neighboring properties to the north and east. Onsite storm water disposal should be required.
- <u>Quality</u> Complaints about the allegedly poor quality of the developer's other projects in the neighborhood.
- <u>Transportation</u> Concerns about sidewalk width, street tree viability, vision clearance at corner, increase in traffic, parking, bike parking, and inadequate warning regarding the one-way nature of SE 11<sup>th</sup> Avenue
- Code Requirements All applicable codes should be applied rigorously in permitting.

**Staff Response:** In terms of Design Review, the expressed concerns fall into four categories: a) those subject to Design Review, b) those subject to initial review in this process but by other agencies, c) those unrelated to this review, and d) those the applicant will accommodate. Staff responded to Ms. Jaquay directly and discussed modifications with the applicant. The following list places the expressed concerns into the above-mentioned four categories:

- <u>Subject to Design Review</u>: Issues around increased density, apparent conflicts between zoning and design guidelines, and neighborhood integration. These matters are addressed at length in the findings in the next section of this decision, (see Zoning Code Approval Criteria).
- <u>Subject to Other Agency Reviews</u>: Issues relating to parking, sidewalk width, street tree viability, vision clearance at the corner, and increase in traffic are matters under the jurisdiction of the Office of Transportation, which has found the proposal compliant (see Exhibit E-2). Storm water disposal is under the jurisdiction of the Bureau of Environmental Services and the auspices of the *2004 Storm Water Management Manual* and has been determined to be compliant (see Exhibit E-2). Application of other codes is handled by the Bureau of Development Services, but within the building permit process.
- <u>Unrelated to This Review</u>: Issues relating to the quality of the developer's work on other sites, the adequacy of warning regarding the one-way nature of SE 11<sup>th</sup> Avenue, shading of adjoining property, and potential rodent infestations.

Accommodated by Applicant: Fencing/gates, long-term bicycle parking, and larger trash area.

### ZONING CODE APPROVAL CRITERIA

### Chapter 33.825 Design Review Section 33.825.010 Purpose of Design Review

Design review ensures that development conserves and enhances the recognized special design values of a site or area. Design review is used to ensure the conservation, enhancement, and continued vitality of the identified scenic, architectural, and cultural values of each design district or area. Design review ensures that certain types of infill development will be compatible with the neighborhood and enhance the area. Design review is also used in certain cases to review public and private projects to ensure that they are of a high design quality.

### Section 33.825.055, Design Review Approval Criteria

A design review application will be approved if the review body finds the applicant to have shown that the proposal complies with the design guidelines for the area.

**Findings:** The site is designated with design overlay zoning (d), therefore the proposal requires Design Review approval. Because the site is located generally within the Central City Plan District, the applicable design guidelines are the Central City Plan Fundamental Design Guidelines. As the site is also specifically located within the Design Zone of the Central Eastside District, the Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan also apply.

## Special Design Guidelines for the Design Zone of the Central Eastside District of the Central City Plan and Central City Fundamental Design Guidelines

The Central Eastside is a unique neighborhood. The property and business owners are proud of the district's heritage and service to the community and region. Light industry, distribution/warehousing, and transportation are important components of the district's personality. To the general public, retail stores and commercial businesses provide the central focus within the district.

The underlying urban design objective for the Central Eastside is to capitalize on and emphasize its unique assets in a manner that is respectful, supportive, creative and

compatible with each area as a whole. Part of the charm and character of the Central Eastside District, which should be celebrated, is its eclectic mixture of building types and uses. An additional strength, which should be built on, is the pattern of pedestrian friendly retail uses on Grand Avenue, East Burnished and Morrison Streets, as well as portions of 11th and 12th Avenues.

The Central City Fundamental Design Guidelines and the River District Design Guidelines focus on four general categories. (A) Portland Personality, addresses design issues and elements that reinforce and enhance Portland's character. (B) Pedestrian Emphasis, addresses design issues and elements that contribute to a successful pedestrian environment. (C) Project Design, addresses specific building characteristics and their relationships to the public environment. (D) Special Areas, provides design guidelines for the four special areas of the Central City.

### **Central Eastside Design Goals**

The following goals and objectives define the urban design vision for new development and other improvements in the Central Eastside

- Encourage the special distinction and identity of the design review areas of the Central Eastside District.
- Provide continuity between the Central Eastside and the Lloyd District.
- Provide continuity between the Central Eastside and the river, downtown, and adjacent residential neighborhoods.
- Enhance the safety, convenience, pleasure, and comfort of pedestrians.

### Central City Plan Design Goals

This set of goals are those developed to guide development throughout the Central City. They apply within the River District as well as to the other seven Central City policy areas. The nine goals for design review within the Central City are as follows:

- 1. Encourage urban design excellence in the Central City;
- **2.** Integrate urban design and preservation of our heritage into the development process;
- **3.** Enhance the character of the Central City's districts;
- **4.** Promote the development of diversity and areas of special character within the Central City:
- **5.** Establish an urban design relationship between the Central City's districts and the Central City as a whole;
- **6.** Provide for a pleasant, rich and diverse pedestrian experience for pedestrians;
- **7.** Provide for the humanization of the Central City through promotion of the arts;
- 8. Assist in creating a 24-hour Central City which is safe, humane and prosperous;
- **9.** Ensure that new development is at a human scale and that it relates to the scale and desired character of its setting and the Central City as a whole.
  - **A4.** Use Unifying Elements. Integrate unifying elements and/or develop new features that help unify and connect individual buildings and different areas.

**Findings:** The proposal is intentionally understated in character, relying on regularity, common proportions, similar scale, and familiar surface textures to integrate with its context. By drawing on the precedents of other mixed-use development in the vicinity, it continues a well-established neighborhood tradition of scattered, smaller scale buildings with commercial ground floor uses and residences above. *This Guideline is therefore met.* 

**A5-4. Incorporate Works of Art.** Incorporate works of art into development projects.

**A5-5. Incorporate Water Features.** Enhance the quality of public spaces by incorporating water features.

**Findings for A5-4 and A5-5:** The proposed treatment of storm water is both practical and artistic in character. Two arrays of articulated rain chains allow the water to cascade from the roof into a flow-through planter garden, contributing visual, aural, and tactile interest to the residential entry court. *These Guidelines are therefore met.* 

- **A7. Establish and Maintain a Sense of Urban Enclosure.** Define public rights-of-way by creating and maintaining a sense of urban enclosure.
- **A8.** Contribute to a Vibrant Streetscape. Integrate building setbacks with adjacent sidewalks to increase the space for potential public use. Develop visual and physical connections into buildings' active interior spaces from adjacent sidewalks. Use architectural elements such as atriums, grand entries and large ground-level windows to reveal important interior spaces and activities.

**Findings for A7 and A8**: The proposal establishes a sense of urban enclosure and vibrancy by building a highly articulated, neighborhood-scale street wall at the right-of-way lines on a corner property. The presence of storefronts (some operable), recessed door alcoves, commercial and residential entries, awnings, windows, and balconies all incrementally build presence and vitality on the street edge. *These Guidelines are therefore met.* 

- **B2. Protect the Pedestrian.** Protect the pedestrian environment from vehicular movement. Develop integrated identification, sign, and sidewalk-oriented night-lighting systems that offer safety, interest, and diversity to the pedestrian. Incorporate building equipment, mechanical exhaust routing systems, and/or service areas in a manner that does not detract from the pedestrian environment.
- **B6. Develop Weather Protection.** Develop integrated weather protection systems at the sidewalk-level of buildings to mitigate the effects of rain, wind, glare, shadow, reflection, and sunlight on the pedestrian environment.
- **B6-1. Provide Pedestrian Rain Protection.** Rain protection is encouraged at the ground level of all new and rehabilitated commercial buildings located adjacent to primary pedestrian routes. In required retail opportunity areas, rain protection is strongly recommended.

**Findings for B2, B6, and B6-1:** SE 11<sup>th</sup> Avenue, adjoining the site to west, is a high traffic one-way street. The sidewalk there also receives heavier use than the one along the SE Sherman Street facade. The proposal responds to this busier condition by limiting the number of entries on this side and recessing them, and eliminating the balconies that form a regular pattern on the south elevation. Street trees, parallel parking, and a grassy parking strip on both frontages are also proposed and/or maintained to better differentiate a protected pedestrian zone, and a curb cut on Sherman is eliminated. The proposed awning system, provides rain shelter and shading and the pilaster lights illuminate the sidewalk in a regular but subtle pattern. *These Guidelines are therefore met.* 

**B7. Integrate Barrier-Free Design.** Integrate access systems for all people with the building's overall design concept.

**Findings:** The entire ground floor, including one live-work dwelling unit, is accessible. *This Guideline is therefore met.* 

C2. Promote Quality and Permanence in Development. Use design principles and

building materials that promote quality and permanence.

- **C4.** Complement the Context of Existing Buildings. Complement the context of existing buildings by using and adding to the local design vocabulary.
  - **Findings for C2 and C4:** The principle exterior materials, a composite lap-siding and wood windows, detailed traditionally, will provide a quality, durable building. As the pioneer project taking advantage of higher residential density allowed by zoning in this area, the palette of materials is intentionally limited, low-key, and complementary to other nearby buildings. *These Guidelines are therefore met.*
- **C5. Design for Coherency.** Integrate the different building and design elements including, but not limited to, construction materials, roofs, entrances, as well as window, door, sign, and lighting systems, to achieve a coherent composition.
- **C3-1. Design to Enhance Existing Themes in the District.** Look to buildings from throughout the district for contextual precedent. Innovation and creativity are encouraged in design proposals, which enhance overall district character.
- **C3-2. Respect Adjacent Residential Neighborhoods.** Respect the architectural character and development patterns of adjacent residential neighborhoods.
  - **Findings for C5, C3-1, and C3-2:** The underlying model for this proposal is the two-story, wood frame, commercial/residential building on a street corner in a mixed neighborhood. The proposal adopts many characteristics of the typology, e.g. domestic scale, regular bays, systematic treatment of openings, taller first floor, storefront windows with transoms, awnings, and recessed entries. Notwithstanding these references, the expression is clearly current, carrying the tradition of the corner store into another generation. *These Guidelines are therefore met.*
- **C7. Design Corners that Build Active Intersections.** Use design elements including, but not limited to, varying building heights, changes in façade plane, large windows, awnings, canopies, marquees, signs and pedestrian entrances to highlight building corners. Locate flexible sidewalk-level retail opportunities at building corners. Locate stairs, elevators, and other upper floor building access points toward the middle of the block.
- **C8. Differentiate the Sidewalk-Level of Buildings.** Differentiate the sidewalk-level of the building from the middle and top by using elements including, but not limited to, different exterior materials, awnings, signs, and large windows.
- **C9. Develop Flexible Sidewalk-Level Spaces.** Develop flexible spaces at the sidewalk-level of buildings to accommodate a variety of active uses.
  - **Findings for C7, C8, and C9:** The ground floor of the proposed building is made distinct from the upper floor, and more pedestrian friendly, in the traditional manner, by greater height, articulation, and transparency. Subtly lit marquise awnings and integrated blade signs reinforce this characteristic. The corner is further distinguished and emphasized by the introduction of operable storefronts on both facades that allow the main retail space to open broadly to the sidewalks. *These Guidelines are therefore met.*
- **C12. Integrate Exterior Lighting.** Integrate exterior lighting and its staging or structural components with the building's overall design concept. Use exterior lighting to highlight the building's architecture, being sensitive to its impacts on the skyline at night.

**Findings:** Exterior LED rope lighting is integrated into the inner edge of the marquise awning frames. *This Guideline is therefore met.* 

### CONCLUSIONS

This application proposes the first higher density residential development seeking to take advantage of a small area of RXd zoning that has been in place for several decades. As such the project will begin to establish precedents for future work. The proposal is a good fit with the existing neighborhood, which stands to benefit by the addition of a moderate amount of new housing units and retail opportunities. The proposal is restrained in character, deriving its character from traditional proportions and patterns. Figuratively it seeks to join the ensemble rather than be the prima ballerina. The proposal is approved.

### ADMINISTRATIVE DECISION

Approval of a new two story mixed, residential and retail, building, per the approved plans, Exhibits C-1 through C-5, signed and dated July 19, 2008, subject to the following conditions:

A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.XX. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 08-121413 DZ . No field changes allowed."

Decision rendered by: Dave & Muto on July 19, 2008.

By authority of the Director of the Bureau of Development Services

Decision mailed: July 24, 2008

Staff Planner: Dave Skilton

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on April 10, 2008, and was determined to be complete on **June 13, 2008**.

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 10, 2008.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

### Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the

permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Design Commission, which will hold a public hearing. Appeals must be filed by 4:30 PM on August 7, 2008 at 1900 SW Fourth Ave. Appeals can be filed on the first floor in the Development Services Center until 3 p.m. After 3 p.m., appeals must be submitted to the receptionist at the front desk on the fifth floor. An appeal fee of \$250 will be charged. The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Low-income individuals appealing a decision for their personal residence that they own in whole or in part may qualify for an appeal fee waiver. In addition, an appeal fee may be waived for a low income individual if the individual resides within the required notification area for the review, and the individual has resided at that address for at least 60 days. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Fee waivers for low-income individuals must be approved prior to filing the appeal; please allow 3 working days for fee waiver approval. Please see the appeal form for additional information.

The file and all evidence on this case are available for your review by appointment only. Please contact the receptionist at 503-823-7967 to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <a href="https://www.portlandonline.com">www.portlandonline.com</a>.

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Design Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Design Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

### Recording the final decision.

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- Unless appealed, The final decision may be recorded on or after August 8, 2008 (the day following the last day to appeal).
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

• By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to:

- Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034 For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

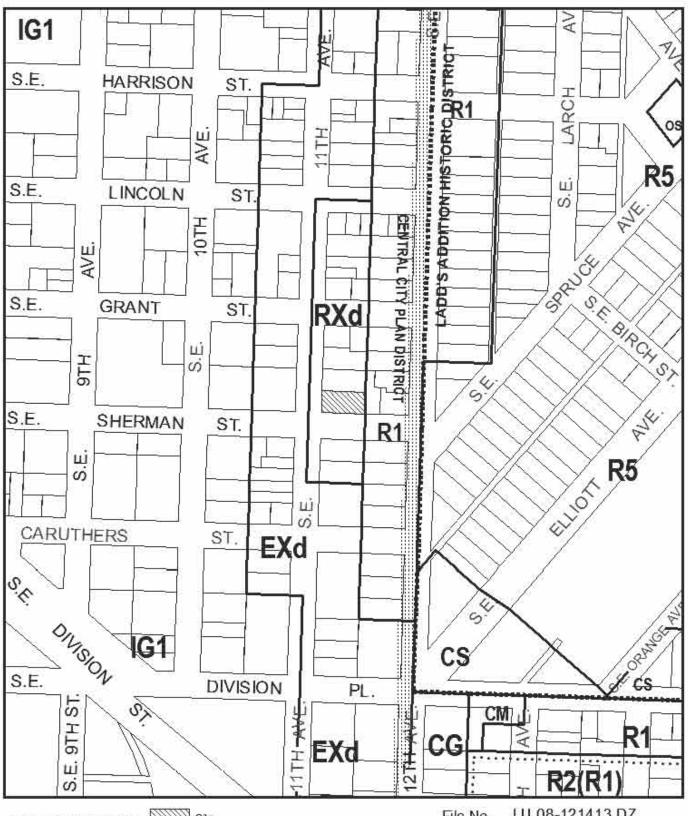
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

#### NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site/First Floor Plan (attached)
  - 2. Second Floor Plan
  - 3. Roof Plan
  - 4. Elevations (attached)
  - 5. Materials
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Transportation, Engineering and Development
  - 2. Bureau of Environmental Services
  - 3. Site Development Review Section of BDS
- F. Correspondence:
- 1. Meg Jaquay, on behalf of herself and others, June 8, 2008, raising issues of design, health, safety, environment impact, quality, transportation, and code compliance.
- G. Other:
  - 1. Original LU Application
  - 2. Case Communications Log

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).



## **ZONING**





This site lies within the: CENTRAL CITY PLAN DISTRICT File No. LU 08-121413 DZ

1/4 Section 3231

Scale 1 inch = 200 feet

State\_Id 1S1E02CD 14000

Exhibit B (Apr 15,2008)

